IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 1790 of 2005

Between:

S.E. Reddy, S/o S. Linga Reddy,
R/o H.No. 1-53, Saibaba Temple Road, Husnabad,Karimnagar District.

..... PETITIONER

AND

1 A.P.S.R.T.C, Rep. by its Regional Manager,
Karimnagar Region, Karimnagar.
2 A.P.S.R.T.C, Husnabad Depot, Husnabad,
rep. by its Depot Manager, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or writ particularly one in the natrure of Writ of mandamus or any other appropriate writ declaring the order No. E1/1(36)/2004-HSBD dated 11-11-2004 placing the petitioner under suspension as illegal and arbitrary and pass other order or orders in the interest of justice.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondents: SMT.P.RAJANI REDDY,SC FOR APSRTC

The Court, at the admission stage, made the following :

ORAL ORDER

For not attending the duties from 19.00 to 03.30 hours on 31-10-2004, the petitioner was placed under suspension. Before placing him under suspension, a preliminary enquiry was conducted. The learned counsel for the petitioner contended that the charge is so trivial, which does not warrant suspension of the employee who is having a good record.

On the other hand, the learned Standing Counsel for the respondents contended that the petitioner has to perform the duties of conducting repairs to the buses and, therefore by abstaining from duties, he caused inconvenience. As per the standing regulations, he was placed under suspension and, therefore, the same does not warrant interference by this Court.

Heard the learned counsel on both sides.

As can be seen from the suspension order dated 11-11-2004, the petitioner has not reported to the night shift duty on 31-10-2004, but, reported to duty at Husnabad depot at 19.30 hours. But, at about 23.00 hours the petitioner, had taken permission from the K.L.H.Shift Incharge, Husnabad for taking of meals, went away and did not turn up for duty after 23-00 hours. Therefore, the petitioner was placed under suspension. The nature of the duties of the petitioner is carrying out the repairs to the vehicles, if any, and therefore, the misconduct alleged in the suspension order is not a trivial one as contended by the learned counsel for the petitioner. The jurisdiction of the authority to place the petitioner under suspension is not under challenge. Therefore, there are no grounds to interfere with the suspension order, which is pending enquiry. However, the respondents are directed to complete the enquiry within a period of one (1) month from the date of receipt of a copy of this Order.

With the above said observation, the writ petition is disposed of. No order as to costs.

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K.C.BHANU,J

7TH FEBRUARY 2005

*TSNR

TO

1 The Regional Manager, A.P.S.R.T.C,
Karimnagar Region, Karimnagar.
2 The Depot Manager,A.P.S.R.T.C, Husnabad Depot, Husnabad,
Karimnagar District.

3 Two C.D.Copies.